

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application.

Claims 1-7 and 9-20 are pending in this application. Claims 1, 7, and 13 are independent. Claim 8 has been previously canceled.

Reconsideration of this application is respectfully requested.

Drawings

The Examiner is requested to provide a Notice of Draftsperson's Patent Drawing Review, Form PTO-948, confirming approval of the formal drawings by the Official Draftsperson with the next Official communication.

Rejections under 35 U.S.C. §103(a)

Claims 1-4, 7, 10, 13, 15-17 and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,081,490 to Kuroda et al in view of U.S. Patent No. 5,289,450 to Mizumoto et al. Claims 5, 6, 11, 12, 18 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kuroda et al. in view of Mizumoto et al., and further in view of U.S. Patent No. 6,266,305 to Büchler. Claims 9 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable under 35 U.S.C. §103(a) as being unpatentable over Kuroda et al.

in view of Mizumoto et al., and further in view of U.S. Patent No. 5,936,921 to Iimura. These rejections are respectfully traversed.

Independent claim 1 recites a combination of steps in a method for controlling a device for recording or reproducing an optical recording medium having control information recorded in a wobbled form on a signal track, including "detecting a wobbled signal from a signal track for reading the control information, wherein said detecting step is carried out in a free running state in which only a focus servo is turned on."

Independent claim 7 recites a combination of steps in a method of controlling a device for recording or reproducing an optical recording medium having control information recorded in a wobbled form on a signal track, including "detecting a wobbled signal from a signal track for detecting the present rotating speed of the optical recording medium, wherein said detecting step is carried out in a free running state in which only a focus servo is turned on."

Independent claim 13 recites a combination of elements in a device for controlling a device for recording or reproducing an optical recording medium having control information recorded in a wobbled form on a signal track, including "a tracking servo for performing tracking control on the optical recording medium," and "a wobble detecting part for detecting a wobbled signal

formed by wobbling from the signal track at a time when only a focus servo is turned on and the tracking servo is not operating.”

It is respectfully submitted that the combinations of steps and elements set forth in independent claims 1, 7, and 13 are not anticipated or made obvious by the applied prior art of record, including Kuroda et al., Mizumoto et al., ✓
Büchler and Iimura.

The present invention is directed to a system that controls a servo operation by detecting a wobbled signal in a state in which a spindle motor is rotated and a tracking servo is off. The wobbled signal is read to get control ✓
information in a free running state in which a focus servo only is turned on. Thereafter, the tracking servo is turned on so as to record or to retrieve data from the optical disc according to the control information.

As conceded on page 2 of the Office Action, Kuroda et al. does not teach or suggest that speed control is performed in a free running state in which there is only focus ability. To cure this deficiency in Kuroda et al., the Office Action turns to Mizumoto et al. for a teaching of controlling a spindle motor speed in a period of operation presumably during which there is only focus ability. As shown in FIGS. 1 and 2 of Mizumoto et al., while a spindle motor 9 is being de-energized, ✓
an optical pickup 2 is radially moved to a position corresponding to the lead-in area of the disc 1 by a sled mechanism 3. The optical pickup 2 is radially moved by the sled mechanism 3 until it reaches a sensor switch 100. Then,

the focus servo loop is turned on. If the focus servo loop is locked, then a switch SW₅ is turned on by a system controller 10 with the spindle motor 9 de-energized. When the switch SW₅ is turned on, the output signal from an oscillator 11 is supplied to the tracking servo loop.

Mizumoto et al. does not discuss at all reading or detecting a wobbled signal and therefore does not teach any connection between reading a wobbled signal and a free running state in which only a focus servo is turned on. Therefore, Mizumoto et al. does not teach or suggest "detecting a wobbled signal from a signal track for reading the control information, wherein said detecting step is carried out in a free running state in which only a focus servo is turned on," as recited in claim 1. Mizumoto et al. does not teach or suggest "detecting a wobbled signal from a signal track for detecting the present rotating speed of the optical recording medium, wherein said detecting step is carried out in a free running state in which only a focus servo is turned on," as recited in claim 7. Mizumoto et al. does not teach or suggest "a tracking servo for performing tracking control on the optical recording medium," and "a wobble detecting part for detecting a wobbled signal formed by wobbling from the signal track at a time when only a focus servo is turned on and the tracking servo is not operating."

In rejecting claims 5, 6, 11, 12, 18 and 19, the Office Action relies on Büchler for a teaching of detecting a wobbled signal by using optical detectors.

However, Büchler does not teach or suggest the above-cited limitations of claims 1, 7 and 13, and therefore fails to cure the deficiencies of Kuroda et al. and Mizumoto et al. with respect to these claims.

In rejecting claims 9 and 14, the Office Action relies on Iimura for a teaching of subjecting a difference signal of optical reflection signals at the optical recording medium to band pass filtering to detect the wobbled signal. However, Iimura does not teach or suggest the above-cited limitations of claims 1, 7 and 13, and therefore fails to cure the deficiencies of Kuroda et al. and Mizumoto et al. with respect to these claims.

In view of the foregoing, it is respectfully submitted that the cited art fails to anticipate or render obvious the presently claimed invention. Independent claims 1, 7, and 13 are in condition for allowance. Since the remaining claims depend directly or indirectly from allowable independent claims, they are also allowable for at least the same reasons as set forth above, as well as for the additional limitations provided by these claims. Accordingly, all claims should be allowable and withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete

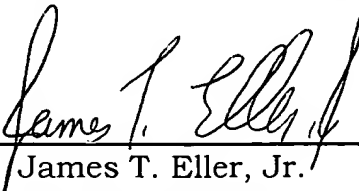
response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

However, if there are any outstanding issues, the Examiner is invited to telephone Sam Bhattacharya, Reg. No. 48,107, at 703-205-8000, in an effort to expedite prosecution.

Applicant respectfully petitions under the provisions of 37 C.F.R. 1.136(a) and 1.17 for a three-month extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of **\$950.00** is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
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0465-0791P

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